



COMMONWEALTH of VIRGINIA

GOVERNOR TERRY MCAULIFFE'S TASK FORCE ON
COMBATING CAMPUS SEXUAL VIOLENCE
CHAIR ATTORNEY GENERAL MARK HERRING

APRIL 14, 2015, 9:30AM
VIRGINIA SEXUAL AND DOMESTIC VIOLENCE ACTION ALLIANCE

RESPONSE SUBCOMMITTEE DRAFT MEETING MINUTES

(pending approval at the next Subcommittee meeting)

Members Present

Peter Blake, Judy Castele, Jean Cheek, Allen Groves, Bill Grace, Ellen Plummer, Daphne Reid, Dan Dusseau via teleconference

Members Not Present

Mike Maxey, Raychel Whyte

Staff Present

Elizabeth Griffin, Melissa McMenemy

Guests

Lisa Ghidotti, Council of Independent Colleges in Virginia
Tamy Mann, Safehome, Covington, VA

Meeting Summary

Plummer welcomed committee members and guests.

The committee unanimously approved the minutes of the March 4, 2015 meeting of the subcommittee.

Plummer informed the subcommittee members that Virginia Military Institute was exonerated by the Office of Civil Rights on a Title IX complaint.

Plummer provided an update from the meeting of the task force subcommittee chairs held March 31, 2015.

In the final version of the report, recommendations will be organized thematically, rather than by subcommittee. Suggested themes include a coordinated approach, increase reporting, information gathering, resources and staffing levels, how to continue the work after the task force has delivered its report and recommendations are accepted and promulgated, increased reporting, coordinated approaches, training, identifying gaps in policies and services, victim outreach, education, and compliance. A suggestion was

made that recommendations include assignments for implementation of recommendations including budget amendments and legislation.

All three subcommittees recommended some version of an advisory group to carry on the work beyond the completion of the task force report. The chairs agreed to ask Peter Blake from SCHEV and Donna Michaelis from DCJS to discuss combining the recommendations from the response and law enforcement subcommittees. A combined recommendation for an advisory group would include state agency representation and representation from higher education institutions. Blake and Michaelis will report back to the chairs who will discuss next steps for a joint or separate recommendations for an advisory group.

The committee discussed the need for resources to support the implementation of selected recommendations.

Plummer shared the concerns of the chairs regarding the recommendation to establish a database that would include the names of students who are dismissed for violations of an institution's sexual misconduct code. Plummer shared that the chairs agreed to hold off making this recommendation until the impact of the "transcript notation" legislation is known.

After much discussion, the committee decided to move forward with a recommendation for a database of names of expelled students as one of a variety of ways in which institutions can check the backgrounds of students. Institutions need to use data provided by the Virginia State Police and it is possible that a database could augment this information. This recommendation would require legislation.

The committee discussed the recommendation from the law enforcement subcommittee regarding timely warnings. The recommendation is that institutions issue a timely warning for every report of sexual violence. After much discussion, the committee agreed that it could not support this recommendation. Concerns include saturating the community with timely warnings which will result in the warning being ignored, including too much information in the warning, many institutions have multiple jurisdictions and need to carefully discern when and to whom to issue a warning, victims ought to have an opportunity to review the content of a timely warning so that they are aware of what is to be shared.

The chairs agreed to issue one recommendation regarding the importance of trauma-informed response to reports of sexual violence. The response subcommittee's recommendation will be integrated into the recommendation crafted by the law enforcement subcommittee.

In addition the chairs agreed to issue one recommendation regarding the creation of campus-based Sexual Assault Response Teams (SARTs).

Castele was asked by the chairs to add language to the recommendation regarding establishing Memoranda of Understanding between institutions and crisis services agencies.

The committee discussed the increased number of agreements being required by institutions with law enforcement and crisis service agencies. Institutions with multiple jurisdictions will be required to promulgate multiple MOUs with a wide variety of agencies.

The committee agreed to add a recommendation that guidelines be created that outline ways in which institutions can comply with the many – and at times conflicting - federal and state mandates.

The law enforcement subcommittee will be adding recommendations to address amnesty for complainants, anonymous reporting, and retaliation.

The prevention subcommittee will be incorporating education about alcohol use in their recommendations regarding prevention education. In addition, the prevention subcommittee will be revising the recommendation regarding the use of campus climate surveys.

The subcommittee discussed the chairs' request that a recommendation be drafted regarding Sexual Assault Nurse Examiners. The recommendation will state that classes taught for SANE nurses follow the education guidelines of the International Association of Forensic Nurses.

Members of the committee expressed concern regarding implementation of the "You Have Options" program recommended by the law enforcement subcommittee. There is some concern among law enforcement and Title IX coordinators that "You Have Options" can complicate or compromise an investigation.

The subcommittee adjourned at 12:45 p.m.